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24 NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER

25  
26 **IN THE UNITED STATES DISTRICT COURT**  
27 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
28 **OAKLAND DIVISION**

MARTIN BELTRAN, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

NATIONSTAR MORTGAGE LLC d/b/a MR.  
COOPER,

Defendant.

Case No. 3:25-cv-04412-JSC

**DECLARATION OF EDWARD W.  
LARROCA IN SUPPORT OF MR.  
COOPER'S MOTION TO DISMISS  
AMENDED COMPLAINT**

Hearing: January 29, 2026

Time: 10:00 a.m.

Location: 8, 19th Floor

Judge: Honorable Jacqueline Scott Corley

1 I, Edward W. Larroca, declare as follows:

2 1. I submit this declaration in support of defendant Nationstar Mortgage, LLC d/b/a  
3 Mr. Cooper's ("Mr. Cooper") Motion to Dismiss the Amended Complaint.

4 2. I am employed by Mr. Cooper as Vice President, Risk & Compliance, and am over  
5 the age of 18. I make this declaration based on personal knowledge, upon my review of Mr.  
6 Cooper's records maintained in the ordinary course and scope of business, and upon information  
7 gathered from other Mr. Cooper employees at my direction and request. If called as a witness, I  
8 could testify competently to the matters set forth herein. The information provided herein is true  
9 and correct to the best of my current knowledge.

10 3. I have worked continuously for Mr. Cooper for 14 years. In my capacity as Vice  
11 President, Risk & Compliance, I am familiar with the information technology systems, documents,  
12 website, and the other information set forth herein.

13 **Plaintiff's Agreement to the Terms**

14 4. Plaintiff Martin Beltran alleges that he opened an online account with Mr. Cooper  
15 in the fall of 2021.

16 5. To open an online account, Plaintiff was required to agree to Mr. Cooper's Terms  
17 and Conditions (the "Terms") through a sign-up webpage (www.mrcooper.com/signin). Attached  
18 hereto as **Exhibit 1** is a true and correct copy of the Terms.

19 6. The sign-up page appears after a customer clicks "Sign In," then "Create one here,"  
20 then "Find My Loan," and then inputs an email address, username, and password. Attached hereto  
21 as **Exhibit 2** is a true and correct copy of the sign-up webpage.

22 7. Upon inputting an email address, username, and password, a customer must click a  
23 blue button that says "Save and Continue." Above this button is a disclaimer stating: "By clicking  
24 'Save and Continue,' you agree to the **Terms of Use** for Mr. Cooper's website." The words "**Terms**  
25 **of Use**" are in bold, italics, and blue font, against a white background, and hyperlinked to the Terms.  
26 The surrounding text is in grey to draw the customer's attention to the "**Terms of Use**."

27 8. When the user clicks on the hyperlink, the Terms open in a separate window.  
28

9. The Terms are also hyperlinked in the footer of each mrcooper.com webpage in dark font against a light background.

10. To open an online account, all customers must agree to the Terms. Since at least 2019, the Terms have included a forum selection clause for venue in Texas courts, choice-of-law clause for Texas law, and limitation-of liability clause.

## **Mr. Cooper's Privacy Policies**

11. Attached hereto as **Exhibit 3** is a true and correct copy of the State-Specific Privacy Notice.

I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration in on this 8th day of October, 2025 in Dallas, Texas.

Respectfully submitted,

Dated: October 8, 2025

*/s/ Edward W. Larroca*  
EDWARD W. LARROCA

**ATTESTATION**

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

Dated: October 8, 2025

/s/ W. Kyle Tayman  
W. Kyle Tayman

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the clerk of the court for the United States District Court for the Northern District of California by using the CM/ECF system on October 8, 2025. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system. I certify under penalty of perjury that the foregoing is true and correct.

Dated: October 8, 2025/s/ W. Kyle Tayman  
W. KYLE TAYMAN